

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )                          8:16CR278  
                                  )  
                                  vs. )  
                                  )  
MOISES FIGUEROA-GARCIA, )                          ORDER  
                                  )  
                                  Defendant.. )

This matter is before the court on the defendant's unopposed motion to continue trial [45]. Counsel is set to begin another jury trial on May 9, 2017 and needs to continue trial. Defendant shall comply with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the unopposed Motion to Continue Trial [45] is granted as follows:

1. The jury trial, now set for May 9, 2017 is continued to **June 13, 2017**.
2. The defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 13, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED May 5, 2017.**

**BY THE COURT:**

**s/ Susan M. Bazis**  
**United States Magistrate Judge**